

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION**

TRUE VALUE COMPANY, L.L.C. and	)	
TV COOPERATIVE COMPANY,	)	
	)	
Plaintiffs,	)	Case No. 3:20-cv-50083
	)	
vs.	)	
	)	
INTERNATIONAL HARDWARE SUPPLIES,	)	
LLC and JOSE ZAMBRANO,	)	
	)	
Defendants.	)	

**STATUS REPORT**

Per the Court's April 24, 2020 Third Amended General Order, True Value Company, L.L.C. and TV Cooperative Company ("Plaintiffs") file this Status Report updating the Court.

1. On December 5, 2019, Plaintiffs filed a complaint against International Hardware Supplies, LLC and Jose Zambrano ("Defendants") in Illinois State Court, McHenry County pursuant to the forum selection clause in the agreements at issue.

2. Following service on Defendants, on March 3, 2020, Defendants removed the case to the Northern District of Illinois – Western Division, in contravention of the forum selection clause in the agreements at issue which require removal to the Northern District of Illinois – Eastern Division.

3. On March 4, 2020, this Court issued a minute order, Docket Number 4, which stated the following:

MINUTE entry before the Honorable Philip G. Reinhard: Defendants removed this action premised on diversity of citizenship. 28 U.S.C. § 1332(a)(1). However, they failed to properly allege the citizenship of several parties. Limited liability companies do not have citizenship for diversity purposes. The controlling citizenship is that of their members. To properly plead the citizenship of a limited liability company each member and the citizenship of each member must be identified. *Meyerson v. Showboat Marina Casino*

Partnership, 312 F.3d. 318, 321 (7th Cir. 2002). A corporation is a citizen of both its state of incorporation and the state of its principal place of business. 28 U.S.C. §1332(c)(1). Both must be pled. The principal place of business is where a corporation's executive headquarters are located. *Illinois Bell Telephone Co., Inc. v. Global NAPs Illinois, Inc.*, 551 F.3d 587 (7th Cir. 2008). On or before March 24, 2020, defendants shall file amended jurisdictional allegations properly pleading the citizenship of all parties or this case will be remanded for lack of subject matter jurisdiction. Mailed notice(sb, )

4. As of the filing of this Status Report, Defendants have failed to comply with the Court's March 4, 2020 minute order and therefore, the Court does not have subject matter jurisdiction.

5. On May 13, 2020, Counsel for True Value sought clarification on the Judge's minute order from Susan Bennehoff, Courtroom Deputy for the Honorable Philip G. Reinhard, regarding the Court's minute order and the status report requirement issued by Chief Judge Pallmeyer. Ms. Bennehoff advised counsel to file the status report and inform the Honorable Magistrate Judge Lisa A. Jensen of the pending jurisdictional issue.

6. In addition, if Defendants provide the Court with the required jurisdictional information, True Value believes the case was improperly removed to the Western Division of the Northern District of Illinois and will be filing a motion to change venue to the Northern District of Illinois – Eastern Division pursuant to the forum selection clause in the agreements at issue.

7. True Value therefore reserves its rights to contest all jurisdictional questions, but is otherwise filing this status report as required by Judge Pallmeyer.

Dated: May 18, 2020

Respectfully submitted,

TRUE VALUE COMPANY, LLC and  
TV COOPERATIVE COMPANY

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 18, 2020, I caused the foregoing to be served upon all counsel of record via the Court's ECF system.

/s/ Salvador Carranza  
Salvador Carranza